

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FILED

AUG 16 2018

Clerk, U.S. District Court
District Of Montana
Helena

THE STATE OF MONTANA,

Plaintiff,

vs.

THE REAL PROPERTY LOCATED AT
6350 W. MONTANA HIGHWAY 200
WITH ALL IMPROVEMENTS AND
FIXTURES THEREON; A 2008 BLACK
CHEVROLET SILVERADO, VIN NO.
3GCEK13J78G240938, REGISTERED
TO DENNIS PEIKER; A 1986 JOHN
DEERE EXCAVATOR, SERIAL NO.
3866; A RED POLARIS SPORTSMAN
600 ATV WITH TRACKS, WITH
ATTACHED VIN NO. OF
4XAMH26A671208155; A YELLOW
POLARIS SPORTSMAN 400 ATV,
WITH ATTACHED VIN NO. OF
4XACH12A84A054964; A GREEN
POLARIS MAGNUM 425 ATV WITH
GREEN CART,

Defendants.

CV 15-74-H-CCL

ORDER FOR
DEPOSIT OF FUNDS

UNITED STATES OF AMERICA,

Counterclaimant,

v.

THE STATE OF MONTANA

Counter-Defendant,

AND

DENNIS PEIKER; PAMELA PEIKER,
A.K.A., PAMELA ST. GEORGE; MARK
MONROE; BRIAN WISEMAN,

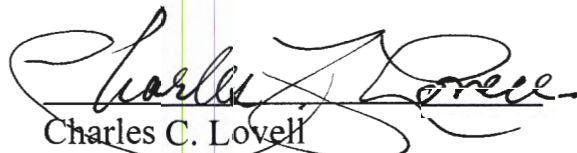
Additional Defendants on
Counterclaim.

In setting the terms for the sale of the real property at issue in this case the Court stated: "Bidders shall be required to deposit, at the time of sale with the Marshal, his/her representative, or a PALS representative, a minimum of 10 percent of the bid, with the deposit to be made by a certified or cashier's check payable to the United States District Court for the District of Montana." (Doc. 63 at ¶ 6(f)).

The Clerk of Court's office recently received a cashier's check for \$26,100, which was accompanied only by what appears to be a page from the Court's Order of Foreclosure and Sale. This caused some difficulty for the clerk's office because the clerk is not authorized to accept funds for deposit without a court order. L.R. 67.1. The clerk contacted counsel for the United States and was told that the check constitutes 10% of the winning bid and need not be deposited in an interest-bearing account because the balance of the purchase price will be sent within thirty days, along with the appropriate motion(s) seeking confirmation of the sale and deposit of the funds. Counsel is advised that he should consult the local rules and contact the Financial Unit for guidance on Judicial Conference Policy before seeking to deposit additional funds with the Clerk of Court.

IT IS HEREBY ORDERED that the recently received funds be deposited in a non-interest bearing account and that the tax identification number of the depositor be set forth under seal in a separate document.

DATED this 16th day of August, 2018.


Charles C. Lovell
Senior United States District Judge